

### REMARKS

Claims 36 and 39 are amended. Claims 40 is canceled. Claims 49-53 are added. Claims 36-39 and 41-53 are in the application for consideration.

The undersigned appreciates the Examiner's indicated allowability of the subject matter of claim 39. Such has been rewritten in independent form, and accordingly should now be formally allowed. Action to that end is requested.

Independent claim 36 stands rejected as being anticipated by U.S. Patent No. 4,320,191 to Yoshikawa et al. Claim 36 has been amended to recite that the photoresist is different from the antireflective coating, and the exposing photoresist to actinic radiation effective to pattern the photoresist to form photoresist patterns over the antireflective coating. Support for the same is inherent in Applicant's application as-filed, and such amendments were accepted in the parent application.

The Examiner asserts or interprets silver layer 3 of Yoshikawa et al. as comprising photoresist, and with chalcogenide layer 2 thereunder comprising an antireflective coating. This overall conclusion is in error. The definition of photoresist inherently requires some photoactive/photosensitive material. Silver is not inherently such a material. For example, silver deposited over a substrate is not inherently photosensitive absence some reaction with an underlying layer such as a selenium germanium material. Even Yoshikawa et al. essentially discloses such at col.1, Ins.41-43 and col.2, Ins.3-9. Such clearly there discloses a photoresist as comprising a composite or combination of chalcogenide material and a thin silver layer.

Accordingly, there is no disclosure or suggestion that silver by itself is inherently photosensitive. Therefore, the Examiner's conclusion that silver layer 3 in figures of Yoshikawa et al. can be construed as a "photoresist" as that term is understood by people of skill in the art is in error.

Applicant's independent claim 36 clearly recites that the photoresist formed over the antireflective coating is different from the antireflective coating. Such is not disclosed in Yoshikawa for reasons asserted above with respect to silver not being a photoresist. Further, claim 36 is amended to emphasize that exposing of the photoresist actinic radiation is effective to pattern a photoresist to form photoresist patterns over the antireflective coating. Such nowhere occurs anywhere in Yoshikawa et al. Claim 36 further recites, after patterning the substrate, chemically etching the photoresist and the antireflective coating substantially completely from the substrate using a single etching chemistry. Such is not disclosed nor suggested in Yoshikawa et al. The processing in going from Fig. 6 to Fig. 7 and from Fig. 17 to Fig. 18 only removes a photosensitive material, and does not chemically etch photoresist and an antireflective coating from the substrate as Applicant recites in claim 36.

For the foregoing reasons, claim 36 recites features which are not found within the four corners of the Yoshikawa et al. document. Accordingly, the anticipation rejection should be withdrawn, and action to that end is requested.

Applicant's dependent claims should be allowed as depending from allowable base claims, and for their own recited features which are neither shown nor suggested in the cited art. The newly added dependent claims are taken from other dependent claims in the parent application as-filed. Accordingly, no new matter is added.

Substitute drawing sheets 1 and 3 are submitted herewith. Figs. 2 and 9 have been amended. Specifically, in Fig. 9, reference numeral 16 and the lead line extending therefrom have been deleted due to the removal of layer 16 and going from Fig. 8 to Fig. 9. Such is clearly supported in Applicant's application as-filed at, for example the last two paragraphs on page 4, and on page 9, lines 3-6.

Regarding Figure 2, it was noticed in reviewing the application in preparation of this response that Figures 2 and 3 as presented in the application as-filed are identical. It is clear from Applicant's application as-filed that Fig. 3 follows processing or is subsequent to the processing of Fig. 2 and that material 18 was intended to be shown as coming into existence in Fig. 3, not in Fig. 2. See, for example, Applicant's application as-filed at p.4, Ins.8, 9, and p.5, ln.18 - p.6, ln.18. Clearly, there is no reference to photoresist layer 18 in Fig. 2, with such only being introduced with respect to Fig. 3 processing. Accordingly, no new matter is added by fixing this minor oversight in Fig. 2. It is respectfully requested that the drawings as amended herein be entered.

This application is believed to be in immediate condition for allowance,  
and action to that end is requested.

Respectfully submitted,

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ANNOTATED SHEET SHOWING CHANGES

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